

AUSTRALIAN DEFENCE FORCE LEGAL SERVICES
CAREER AND PROFESSIONAL DEVELOPMENT COMMITTEE

MEETING OF 12 OCT 04

COMMITTEE DECISION 242/04

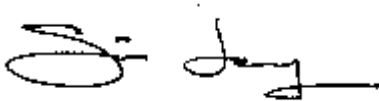
**Subject: Policy – Recognition of Prior Academic Qualifications - Review of
CPDC Policy Decision 74/01**

The Committee noted:

1. The DFRT Decisions on the Legal Officers' Specialist Career Structure (LOSCS) WEF 16 Mar 00 and 1 Jul 04 and, in particular, within paragraph 26 of the 2000 DFRT decision under the heading Legal Officer – Level Three, the sentences: “At this level members complete the Legal Officer Advanced Course and on-the-job training in another one of the legal employment specialisations. The additional training and experience will lead to the qualification of Master of Military Law or equivalent.”
2. That some legal officers who are required to complete Legal Training Module 3 to achieve LL4 status already may have satisfactorily completed the equivalent of certain elements of the Legal Training module in their other academic studies and that some legal officers are seeking recognition of prior learning.
3. That in CPDC Policy Decision 74/01 the Committee decided to:
 - a. **Agree** to recognise prior learning on a case by case basis and where it is recognised to **grant** a legal officer an exemption from that subject.
 - b. **Direct** DMLC to:
 - (1) consult with the ADF's subject matter expert on individual cases;
 - (2) undertake the task of considering any application for recognition of prior learning and granting any exemption; and
 - (3) report any decision to the Committee Secretary.
 - c. **Authorise** DMLC to refer to the Committee any case where DMLC considers there is doubt that an exemption should be granted or that it would be inappropriate to grant an exemption.
4. That A/DMLC believes that the DMLC should make a recommendation to the Committee rather than decide if prior learning is recognised.

The Committee decided to:

1. **Agree** that it is appropriate that the Committee should make the decision concerning recognition of prior learning and that the DMLC should make a recommendation only.
2. **Agree** that the policy should now be:
 - a. Prior learning may be recognised on a case by case basis and where it is recognised to a legal officer may be granted an exemption from that subject.
 - b. Where an application for prior learning is made the application is to be forwarded to DMLC to:
 - (1) consult with the ADF's subject matter expert on individual cases;
 - (2) undertake the task of considering any application for recognition of prior learning and any exemption; and
 - (3) provide the Committee with a recommendation.
3. **Cancel** CPDC Policy Decision 74/01.



S. J. HARVEY

AIRCDRE

Director General Australian Defence Force Legal Services

Chairman, Career and Professional Development Committee